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Examiner: San Martin, Edgardo
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Attached please find:

1. Issue Fee Payment: PART B – FEE (S) TRANSMITTAL
2. COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

CERTIFICATE OF TRANSMISSION PURSUANT TO 37 CFR 1.8

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Ruth Rocky

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

App. No. : 10/802,691
Applicant : Xia et al.
Filed : July 22, 2003
TC/A.U. : 2837
Examiner : San Martin, Edgardo
Docket No. : 2002P11413US01

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

In response to the Examiner's Statement of Reasons for Allowance set forth in the Notice of Allowability mailed October 21, 2005, Applicant submits the following remarks.

The Examiner's Statement of Reasons of Allowance makes a characterization as to the primary reasons for allowance. It is believed that such a characterization of the claims does not properly represent Applicant's claimed invention. As such, Applicant does not agree with the Statement of Reasons for Allowance.

With respect to independent claim 1, Applicant asserts that this claim and any claims dependent therefrom are allowable since, as previously set forth, Applicant's invention is directed to:

“A method of designing a Herschel-Quincke tube arrangement comprising the steps of:

- a) representing a tube arrangement including a first passageway and second passageway fluidly connected to the first passageway at first and second junctions, the second passageway divided by the junctions into first, second, and third passages;
- b) associating lengths with each of the first passageway and the first, second, and third passages producing a particular length combination;
- c) calculating a filter parameter for the particular length combination based upon a target frequency range;
- d) associating other lengths with each of the passageway and the first, second, and third passages producing another particular length combination;
- e) calculating another filter parameter for the other particular length combination based upon the target frequency range; and
- f) selecting one of the length combinations for the Herschel-Quincke tube arrangement based upon desired parameters including the filter parameters.

With respect to independent claim 16, Applicant asserts that this claim and any claims dependent therefrom are allowable since, as previously set forth, Applicant's invention is directed to:

“A method of manufacturing a Herschel-Quincke tube arrangement comprising the steps of:

- a) forming a first passageway and second passageway fluidly connected to the first passageway at first and second junctions with the second passageway divided by the junctions into first, second, and third passages, the first and second passageways being generally planar, the first passageway extending from an inlet to the tube arrangement to an outlet from the tube arrangement;

- b) forming the first passageway in a nonplanar configuration; and
 - c) securing at least one of the first and second passageways to a vehicle component;
- and

- d) coupling the outlet to a vehicle engine;

wherein the second passage is between the first and second junctions and the second passage is looped about a first axis and is curved about a second axis not parallel to the first axis.”

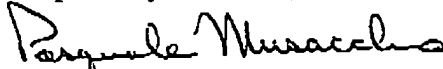
With respect to independent claim 21, Applicant asserts that this claim and any claims dependent therefrom are allowable since, as previously set forth, Applicant's invention is directed to:

"A method of designing a Herschel-Quincke tube arrangement comprising the steps of:

- a) representing a tube arrangement including a first passageway and second passageway fluidly connected to the first passageway at first and second junctions, the second passageway divided by the junctions into first, second, and third passages;
- b) associating lengths with each of the first passageway and the first, second, and third passages;
- c) analyzing a ratio of average transmission loss over a selected frequency range to standard deviation of the transmission loss over the selected frequency range as a function of the lengths of the first, second and third passages and the first passageway; and
- d) based upon the analysis of the ratio in said step c), selecting lengths for each of the first, second and third passages and the first passageway for the Herschel-Quincke tube arrangement."

Applicant does not acquiesce that patentability resides in the characterization expressed in the Statement of Reasons for Allowance.

Respectfully submitted,


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